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HOUSE STUDY GROUP

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special legislative report

SPECIAL SESSIONS

WITH A SPECIAL SESSION RIGHT AROUND
THE CORNER, THE HOUSE STUDY GROUP BRINGS
YOU THIS ANALYSIS OF THE LAW RELATING TO
SPECIAL SESSIONS AND HOW THEY DIFFER FROM
THEIR REGULAR COUNTERPARTS.



JOHN BRYANT, CHAIRMAN

While Texas law does not speak to special sessions, the Constitution makes several provisions for them.

Under the Constitution, only the Governor may call the Legislature into special session. The Legislature must convene at the seat of Government, unless the Capitol City is diseased or in possession of the public enemy.

The governor's proclamation calling a special session must set forth "specifically the purposes for which the Legislature is convened." The Legislature may not consider subjects other than those contained in the call or submitted to them during the course of the special session by the governor. The governor's power to veto enables him to enforce this constitutional restriction.

Each special session is limited to thirty days duration.

House Rules also speak to special sessions.

Rule 14, Section 8 of the Rules states: "The subject matter of simple and concurrent resolutions does not have to be submitted by the governor in a called session before they can be considered."

Generally speaking, the "time rules" which date from the beginning of a session are moot during a special session; those which date from the end are still valid. For example, the 60-day limit on the introduction of bills could not apply during a 30-day called session. However, the 72, 48, and 24 hours-before-final-adjournment rules still apply.

There appear to be no statutory provisions regarding special sessions.

The last special session convened at noon on Monday, December 18, 1973 to set lower speed limits to comply with Federal law. The Governor's call stated the purposes of the session as follows:

1. To enact legislation to authorize setting speed laws on all of the highways of the State of Texas at a rate consistent with national and state interests related to energy conservation.
2. To consider and act on such other subjects and questions as the Governor may submit from time to time.

The session began in much the same manner as a regular session. The House came to order, announced it was ready to do business and heard an address by the Governor.

Fourteen bills were introduced, including many which were not included in the Governor's call.

The five day posting rule was suspended so that the Transportation Committee could consider the various speed limit bills introduced.

A relatively small amount of time was spent on floor debate of the speed limit bill. Numerous concurrent and simple resolutions were adopted. The first called session of the 63rd Legislature adjourned sine die on Thursday evening, December 20, 1973.

THINGS TO KNOW

- No prefiling of bills, but bills may be introduced at any time during the session
- No new committees
- No new rules. However, the Rules of the 65th could be amended.
- No new housekeeping resolution. It may also be amended.
- Members will receive \$30 per diem for each day the legislature is in session.